



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 12, 2022

MEMO ENDORSED

BY ECF

The Honorable Valerie E. Caproni
Southern District of New York
40 Foley Square
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/13/2022

Re: *United States v. Rascarmi Gallimore, 15 Cr. 537 (VEC)*

Dear Judge Caproni:

The Government writes regarding proceedings relating to Rascarmi Gallimore's alleged violation of the conditions of his supervised release. Since receiving the Probation Office's specifications, and since the originally scheduled conference in March of last year, the Government has continued to confer with the Assistant District Attorney for the Bronx District Attorney's Office currently handling the state charges against Gallimore and others. The Government received a copy of the criminal complaint against Gallimore, previously submitted to the Court, and has confirmed that Gallimore and his codefendants have been indicted in state court.

The Government understands from the assigned ADA that the Bronx case is proceeding, and that motions are now scheduled for decision on February 1, 2022 (following prior adjournments).

The Government respectfully requests that the Court adjourn the currently scheduled conference of January 24, 2022, to a date after in late February, to provide time to confer with defense counsel following the February 1, 2022 motions conference in state court. The Government expects that a resolution of the federal supervised release allegations may be aided by additional proceedings and clarity in the state proceedings. The Government has conferred with defense counsel for Gallimore, who concurs in this request.

As previously noted, the defendant's term of supervision expired on March 20, 2021, but the Court has and will maintain jurisdiction to adjudicate the alleged violations because the Court's summons issued on the basis of those allegations prior to expiration. *See 18 U.S.C. § 3583(i) ("The power of the court to revoke a term of supervised release for violation of a condition of supervised release, and to order the defendant to serve a term of imprisonment and . . . a further term of supervised release, extends beyond the expiration of the term of supervised release for any period reasonably necessary for the adjudication of matters arising before its*

Honorable Valerie E. Caproni
January 12, 2022
Page 2 of 2

expiration if, before its expiration, a warrant or summons has been issued on the basis of an allegation of such a violation.”).

Respectfully submitted,

DAMIAN BERMAN
United States Attorney

By: /s/ Andrew C. Adams
Andrew C. Adams
Assistant United States Attorney
(212) 637-2340

cc: Renato Stabile, counsel to the defendant (by ECF)

Application GRANTED. Mr. Gallimore's violation of supervised release hearing scheduled for January 31, 2022, see Dkt. 1685, is ADJOURNED to **February 25, 2022 at 4:00 p.m.** The parties must submit a joint status update by **February 18, 2022.**

SO ORDERED.

 1/13/2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE